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PLAINTIFFS	DEFENDANTS
<p>REYNOLDS DANIEL, CRUZ CARLOS, MCGRAW TYRONE, MADRICK WALLACE, GRIER, on behalf of themselves and all other persons similarly situated</p> <p><u>Amended complr.</u> 9-7-83</p> <p><u>SECOND AMENDED</u> <u>COMPLT. on</u> 6-26-86</p>	<p>BENJAMIN WARD, KNUVER ABRAHAM J., ARMSTRONG RSTA, FERRER REINALDO, GOLDBERG ALLEN, KETTERMAN SARA L., ALBERTI DARTI, MONROE JAMES, PRENOVILLE JOHN, SCHWARTZ DANIEL, WEINSTEIN HENRY, BRODSKY STANLY, BOHMAN MADELINE, CLARK IRA, DURRELL MARYLIN, and EDWARD KOCH</p> <p><b>JUDGE LEVAL</b></p>

  

CAUSE
<p>(CITE THE U.S. CIVIL STATUTE UNDER WHICH THE CASE IS FILED AND WRITE A BRIEF STATEMENT OF CAUSE)</p> <p>Civil Rights AP</p>

  

ATTORNEYS
<p>Theodore H. Katz Dori A. Lewis Jonathan S. Chazan The Legal Aid Society-Prisoners' Rights Project 15 Park Row - 19th Floor New York, N.Y. 10038 (577-3530)</p> <p>Corporation Counsel, City Of New York 100 Church Street New York, N.Y. 10007</p> <p>PETER L. ZIMROTH Corporation Counsel of the City of New York 100 Church Street, Room 6C14 New York, New York 10007 (212) 566-2309 BY: ROBERT TRACHTENBERG Assistant Corporation Counsel</p>

  

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UNITED STATES DISTRICT COURT DOCKET

DC 1:11 IRK 7/80

DO 111A  
(Rev. 1/78)

PAGE 1.A.

PLAINTIFF		DEFENDANT		DOCKET NO.
DANIEL REYNOLDS et al		BENJAMIN WARD et al		PAGE OF PAGES
DATE	NR.	PROCEEDINGS		
		<p><i>Amended 6-26-86</i></p> <p>JACQUELINE McMICKENS, Commissioner :  of the Department of Correction of :  the City of New York; JO IVIE :  BOUFFARD, President of the Health :  and Hospitals Corporation of the :  City of New York; ESTA ARMSTRONG, :  Director of Prison Health/Mental :  Health for the Health and Hos- :  pitals Corporation; STEPHEN :  JOSEPH, Commissioner of the :  Department of Health of the :  City of New York; SARA L. :  KELLERMAN, M.D., Commissioner of :  the Department of Mental Health, :  Mental Retardation and Alcoholism :  Services of the City of New York; :  ARNETT GASTON, JOSEPH DIRUSSO and :  DANIEL MEEHAN, Deputy Wardens in :  Command of the prison wards at :  Bellevue, Elmhurst and Kings :  County Hospitals, respectively; :  DANIELSCHWARTZ, M.D., HENRY :  WEINSTEIN, M.D., and STANLEY :  BRODSKY, M.D., Directors of the :  prison wards at Kings County, :  Bellevue and Elmhurst Hospitals, :  respectively; RON MILCH, IRA :  CLARK and JEFFREY MENKES, :  Executive Directors, Bellevue :  Hospital Center, Kings County :  Hospital Center and Elmhurst :  Hospital Center, respectively; :  ALLEN GOLDBERG, Director of :  Prison Health Services of the :  Department of Health of the :  City of New York; EDWARD KOCH, :  Mayor of the City of New York; :  individually and in their official :  capacities.</p> <p style="text-align: right;">Defendants.</p>		

## Case 1:81-cv-00107-RJS Document 1 Filed 01/09/81 Page 3 of 9

REYNOLDS DANIEL, et al.,

v. WARD BENJAMIN et al

DATE	NR.	81 Civ. 0107	PROCEEDINGS
1-9-81	1	Filed Ex Parte Order Permitting Pltff's, to Proceed in Forma Pauperis... So Ordered, Judge Charles L. Brilliant.	
1-9-81	2	Filed complaint and issued summons and notice pur. To: 28/636.	
1-12-81	3	Filed Pltff's Affidavit and Notice of Motion for class Certification pur. to: Rule 23 F.R. Civ. P. Ret. by 1-27-81 at 10A.M. in Part I.	
1-12-81	4	Filed Pltff's Memorandum of Law in support of motion for class Certification.	
1-27-81	5	Filed Deft's <u>AFFIDAVIT</u> in reference to Motion for class Certification.	
2/2/80	6	Filed Notice the action is assigned to Judge Lasker m/n	
2/1/81		Filed memo and on entry 3 v. motion granted on consent LASKER J m/n	
6-10-81	7	Filed Defts' ANSWER.	AGS
7-16-82	8	Filed pliffs' Notice of taking deposition of Elizabeth Sprulli on 6-30-82.	
1-27-83	9	Filed pliffs' Notice of taking deposition of Dante Albertie on 2-14-83.	
5-11-83	10	Filed pltff. The Legal Aid Society's Notice of taking deposition of the custodian of the medical & psychiatric records of Lydia Cirillo on 5-12-83.	
8-29-83	11	Filed stip and order to amend complt.; Order permitting amendment of complt. as so indicated. So ordered Lasker, J.	
9-7-83	12	Filed FIRST AMENDED COMPLAINT (Class Action) See page 1A	
9-28-83	13	Filed Deposition of Defts Benjamin Ward et al on 2-14-83, m/n	
9-28-83	14	Filed deposition of Gerard Singleman on 5-24-83. m/n	
9-28-83	15	Filed deposition of Gerard Singleman on 5-31-83. m/n	
9-28-83	16	Filed deposition of Dante Albertie on 5-26-83. m/n	
9-28-83	17	Filed deposition of deft. Gerard F. Singleman on 6-9-83.	
9-30-83	18	Filed Deposition of Carmen Panophlet on 7-30-82	
9-30-83	19	Filed Deposition of Dr. Carmen Z. Lewis on 8-6-82	
9-30-83	20	Filed Deposition of Thomas O'Rourke on 9-22-82	
9-30-83	21	Filed Continued Deposition of Thomas O'Rourke on 9-30-82	
9-30-83	22	Filed Continued Deposition of Thomas O'Rourke on 1-24-83.	
10-13-83	23	Filed STATEMENT pur. to Rule 3(b) of the General Rules of the So. Dist. of N.Y.	
10-13-83	24	Filed pliffs' AFFDVT. & NOTICE OF MOTION pur. to FRCP 56(a) granting summary judgment on the issue of contact visiting at the Bellevue Hosp. prison wards.	
10-13-83	25	Filed MEMORANDUM OF LAW in support of pliffs' Motion for summary judgment on the issue of contact visiting at the Bellevue Hosp. Prison Wards. for pliffs.	

(cont'd 93)

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PLAINTIFF		DEFENDANT		DOCKET NO. 81-107
DANIEL REYNOLDS, et al		BENJAMIN WARD, et al		PAGE 3 OF 3 PAGES
DATE	NR.	PROCEEDINGS		
11-29-83	26	Filed STATEMENT pur. to Rule 3(g).		
11-29-83	27	Filed AFFDVT. in opposition to pltf's Motion for Partial Summary Judgt. By Elissa Hutner		
11-29-83	28	Filed defts' MEMORANDUM OF LAW.		
12-2-83	29	Filed pltf's Second Set of Interrogs. & Request for Production of Documents.		
12-13-83	30	Filed AFFDVT. of Joseph Bhevarria for pltf's.		
12-13-83	31	Filed REPLY AFFDVT. by Dori A. Lewis, defts' opposition to pltf's motion for summary judgt.		
1-3-84	32	Filed AFFDVT. by Elissa Hutner for defts.		
1-3-84	33	Filed SUPPLEMENTAL AFFDVT. by Philip A. Gabler for defts.		
2-3-84	-	Filed MEMO ENDORSED on document #24, Motion desposed of by stip. & order signed this date 2-2-84.... So ordered Lasker, J. m/n		
2-3-84	34	Filed stip and Proposed Order Re: Contact Visiting at Bellevue Hosp. Prison Wards. In reliance on defts' assurances that pltf's confined on the prison medical-surgical ward shall continue to be able to receive no less than three One Hr. contact visits per week, etc. as indicated. So ordered Lasker, J.		
3-19-84	35	Filed pltf's DECLARATION & NOTICE OF MOTION pur. to FRCP 37, compelling defts. to respond to pltf's Second Set of Interrogs. & Document requests.		
3-19-84	36	Filed MEMORANDUM OF LAW in support of pltf's Motion to compel discovery.		
3-22-84	-	Filed Memo Endorsed on Doc #35, Pltf's Notice of Motion for an order compelling defts to respond to Pltf's second set of Interrogs and Document requests: Respectfully referred to Hon. Michael H. Dollinger, Magistrate of this court, to hear and determine... So Ordered, Lasker J.		
5-23-84	-	PRE-TRIAL CONFERENCE HELD BY <i>Mag. Dollinger</i>		
5-25-84	37	Filed ORDER, Ordered that no later than 6-7-84 defts shall produce to pltf's for inspection & copying all remaining documents responsive to pltf's interrogs & document request filed 12-2-83 etc. So ordered Mag. Dollinger.... m/copies		
12-26-85	38	Filed pltf's Notice of taking deposition of the Medical Records Custodian, Elmhurst Hospital on 1-10-86 etc. as indicated. Sub. Issued		

(Cont'd (p. 4))

CIVIL DOCKET CONTINUATION SHEET				775-BAR-7-14-80-COR-4338
PLAINTIFF		DEFENDANT		DOCKET NO. <u>81-0107</u>
DANIEL REYNOLDS ET AL		BENJAMIN WARD etc. etal		PAGE <u>4</u> OF <u>    </u> PAGES
DATE	NR.	PROCEEDINGS		
		LASKER, J.		
2-25-86	39	Filed pliffs' Notice of taking deposition of Medical Records Custodian Elmhurst Hosp. on 3-17-86 etc. SI		
2-25-86	40	Filed pliffs' Notice of taking deposition of Medical Records Custodian, Bellevue Hosp. on 3-17-86 etc. SI		
3-14-86	41	Filed pliff's Notice of taking deposition of " " " Elmhurst Hosp. on 4-2-86. etc. SI		
4-14-86	42	Filed pliff's notice of taking deposition of " " " Bellevue Hosp. on 4-2-86 etc. SI		
3-14-86	43	Filed pliff's notice of taking deposition of " " " Kings Cty. Hosp. on 4-2-86 etc. SI		
6-23-86	44	Filed stip and order permitting amendment of complt. that <u>Pltff may file a Second Amended Compl.</u> So ordered Lasker, J.		
6-26-86	45	Filed SECOND AMENDED COMPLT. Amended Summons Issued.		
4-27-87	46	Filed pliff's The Legal Aid Soc. Prisoners' Rights Project, AFFDVT. & NOTICE OF MOTION compelling discovery, pur. to FRCP 37. Ret:5-15-87.		
4-27-87	47	Filed MEMORANDUM OF LAW in support of pliff's Motion for an order to compel discovery.		
5-18-87	48	Fid. Defendants' Affidavit of Marilyn Richter in response to pliffs' motion to compel discovery in this action. SC		
5-22-87	49	Filed ORDER OF REFERENCE TO A Mag. Discovery Motion etc. So ordered Lasker, J. MM		
5-22-87	---	Filed MEMO ENDORSED on document #49, Mag. Dolinger was assigned on 5-20-87. Clifford P. Kirsch, Dist. Ct. Exec.		
6-18-87	-	PRE-TRIAL CONFERENCE HELD BY <i>Mag. Dolinger</i>		
6-19-87	50	Filed ORDER, Ordered that all document production agreed to by defts is to be provided by 6-29-87. So ordered Owen, J.		
7-20-87	51	Filed MEMORANDUM & order, defts assert that the document is a draft of a letter that was never sent, & they invoke a pre-decisional intra-agency deliberative privilege to bar its production etc. as indicated. So ordered Mag. Dolinger, c/m/c MM		
4-15-88	52	Filed stip and order that defts shall produce in the office of pliffs' Counsel all outstanding documents & other information requested in pliffs' Seventh Request for Production of Documents no later than 4-29-88 etc. So ordered Lasker, J. MM		

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## CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. 81-107
DANIEL REYNOLDS ET AL		BENJAMIN WARD ET AL	PAGE 5 OF 5 PAGES
DATE	NR.	PROCEEDINGS	CLERK J. PNI
5-3-88	53	Filed deft's AFFIRMATION & NOTICE OF MOTION for a protective order pur. to Rule 26(c) FRCP as to that portion of Demand No. 8 of pliffs' 7th Request for Protection of Documents etc. Ret: 5-16-88. MM	
5-3-88	54	Filed defts' MEMORANDUM OF Points & authorities in support of their Motion for a Protective Order. MM	
5-13-88	55	Filed MEMO ENDORSED on Letter from the Legal Aid Society by 5-13-88, request an extension of time to file papers.....pliffs' papers are to be filed 5-31-88. Defts' may reply by 5-6-88. Mag. Dolinger MM sent to the Mag.	
5-16-88	56	Filed Order of reference to a Mag. General P/t all Discovery motion etc. So ordered Lasker, J.	
5-16-88	---	Filed MEMO END. ON doc. #56, Mag. Dolinger was assigned this matter on 5-13-88. Clifford Kirsch. MM	
5-31-88	57	Filed DECLARATION in opposition to defts' Motion for a Protective Order & in support of Motion for Sanctions pur. to FRCP 37 B of Jonathan Chasan for pliffs.	
5-31-88	58	Filed MEMORANDUM in opposition to defts' Motion for a Protective Order & in support of pliffs' Motion for Sanctions. MM	
6-8-88	59	Filed REPLY for defts. of Valerie L. Bacon to pliffs' opposition to defts' motion.	
7-6-88	---	<del>PRE-TRIAL CONFERENCE HELD BY</del> Mag. Dolinger	
7-7-88	60	Filed ORDER, If any party intends to file potentially dispositive p/t motions those motions are to be served & filed by 2-29-89. So ordered Mag. Dolinger c/m/c MM	
7-13-88	61	Filed MEMORANDUM AND ORDER, defts' motion for a protective order with respect to Quality Advisory Committee documents is denied. pliffs' motion for sanctions is denied except that pliffs are awarded the expenses of their motion, including reasonable attyns' fees, etc. So ordered Mag. Dolinger MM c/m/c	
7-13-88	62	Filed LETTER dated 7-12-88 by N.Y. Law Dept. Re: defts respect an extension of time to complete all discovery .....MEMO ENDORSED...The Motion is denied Mag Dolinger. MM sent to Mag.	
7-20-88	63	Filed pliff's DECLARATION in support of Application for Attyns' fees by Jonathan S. Chasan. MM	
8-8-88	64	Filed DECLARATION in support of Application for Attyns' Fees.....with MEMO ENDORSED..DEFTS HAVING CHOSEN NOT TO OPPOSE THIS application etc. it is hereby Granted. Mag. Dolinger..... MM (sent to the Mag.)	
9-23-88	65	Filed pliffs Notice of deposition to Robert Rachtengerg appear on 10-13-88. PA	
10-8-88	---	<del>PRE-TRIAL CONFERENCE HELD BY</del> Mag. Dolinger	

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## CIVIL DOCKET - CONTINUATION SHEET

PLAINTIFF		DEFENDANT	81 CV 107-21 DOCKET NO.	PAGE 6 OF 6 PAGES
Daniel Reynolds et al		Boyd et al		
DATE	NR.	PROCEEDINGS		
10-31-88	66	Filed Order, fact discovery completed by 2-28-89..expert discovery by 3-31-89 dispositive pre trial motions by 5-31-89...So Ordered..Mag. Dolinger cmc PA		
11-22-88	67	Fld. Defts ANSWER to the second amended complaint, - PLZ HJ		
12-8-88	68	Filed pliffs Notice of deposition of Velda MacFarlane on 12-22-88. PA		
2-16-88	69	Filed defts amended answer to second amended complt. PA		
1-30-89	70	Filed Stip & Protective Order governing discovery of institutional orders regarding security for hospital prisons wards..papers be placed under seal & filed with clerk of court...So Ordered..Lasker, J. PA		
2-14-89	71	Filed pliffs Notice of deposition of Hillel Bodek on 2-28-89. PA		
2-27-89	72	Filed Order that supt. of Elmira Correctional Facility produce inmate Juan Delgado at the Elmira Corr. Fac. for deposition on 3-16-89..Lasker, J. cmc PA		
2-27-89	73	Filed Order that the supt. of Auburn Corr. Fac. produce inmate Eddie Hernandez at Auburn Corr. Fac. for deposition on 3-17-89..Lasker, J. cmc PA		
2-28-89	74	Filed Order that all fact disc. be completed by 5-31-89..expert disc. be completed by 6-30-89..So Ordered..Mag. Dolinger cmc PA		
3-17-89	75	Filed Order that Superintendent of Downstate Corr. Fac. produce inmate Torr Hunter at Downstate to take deposition on 3-31-89..Lasker, J. cmc PA		
3-22-89	76	Filed pliffs Notice of deposition of Chief T. Murray on 4-5-89 PA		
4-5-89	77	Filed Order that superintendent of Fishkill Corr. Fac. produce inmate Wm. Matos for the taking of Wm. Matos deposition..4-11-89..Lasker, J. cmc PA		
4-5-89	78	Filed Order that superintendent of Fishkill Corr. Fac. produce inmate Wm. Matos for the taking of Wm. Matos deposition 4-11-89..Mag. Dolinger cmc PA		
4-13-89	79	Filed defts Notice of deposition of Hillel Bodek on 4-25-89. PA		
5-12-89	80	Filed Stip & Order that pliffs counsel will take deposition of Donna Reed aka Michelle Penfield...Supt. of Albion Hills Correctional Fac. produce inmate at the Albion Corr. Fac. for taking deposition on 6-9-89..Mag. Dolinger cmc PA		
5-12-89	81	Filed stip & Order that pliffs counsel will take deposition of Angela Hylton on 5-31-89..Warden of Rose Singer Center produce inmate Angela Hylton on 5-31-89 for deposition..Mag. dolinger cmc PA		
5-12-89	82	Filed Stip & Order that pliffs counsel will take deposition of Cathy Rhoden .. Supt. of Bedford Hills Corr. Facility produce Cathy Rhoden on 6-15-89 for deposition...Mag. Dolinger cmc PA		
5-22-89	83	Filed Order that superintendent of Clinton Corr. Fac. produce inmate Wm. Matos for deposition on 4-11-89...Dolinger, M. cmc PA		
5-22-89	84	Filed Order that superintendent of Clinton Corr. Fac. produce inmate Wm. Matos for deposition on 4-11-89..Dolinger, M. cmc PA		
6-1-89	85	Filed Suppl. Order...that upon consent of parties, a video tape camera, tripod & video tape shall be permitted at the taking of this deposition..Mag. Dolinger (by inmate Cathy Rhoden) cmc PA		
6-1-89	86	Filed Suppl. Order...that upon consent of parties, video tape camera, tripod & video tape shall be permitted at the taking of this deposition of inmate Donna Reed...Mag. Dolinger cmc PA		
6-14-89	87	Filed Order that disc. be completed by 7-31-89..So Ordered..Mag. Dolinger cmc PA		
6-14-89	-	PTC/Mag Dolinger		



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## CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT		DOCKET NO. 81-0107	
DANIEL REYNOLDS et al.		BENJAMIN WARD et al.		PAGE 7 OF 7 PAGES	
DATE	NR.	PROCEEDINGS			
6/28/89	88	Fld. Plaintiff's The Legal Aid Society Notice of Deposition...to take the deposition of Dr. Azaria Eshkenazi on 8/14/89 and 8/15/89. SC			
7/21/89	89	Fld. Pltff's Notice of Deposition...to take the deposition of Dr. Stanley Brodsky on 7/28/89. SC			
8-8-89	90	Fld order, that defts may designate an additional expert by no later than 9-12-89.. the designated expert is to be made available for deposition during the week of 10-2-89..... So ordered.. Dolinger Mag, cmc RL			
8-18-89	90	Fld Memo endorsed on letter by Legal Aid Society to Magistrate Dolinger for the continuation of the deposition by no later than the week of 10-23-89.... Application granted.. So ordered.. Dolinger, J. RL			
9-13-89	91	Filed Memo endorsed on letter from Robert Trachtenberg, dtd 9-11-89 to Mag. Dolinger..REG: amend 8-8 order to give defts to 9-29-89 to identify a new security expert...Application granted..Mag. Dolinger cmc PA			
10-6-89	92	Fld Memo End on letter to Mag Dolinger dtd 10-6-89...The application of defts is granted on the basis of their representation that both experts will be made available for deposition in October...Mag Dolinger. cmc PM			
12-29-89	93	Fld memo and order, pltfs application to depose Mr. Koehler is denied..... MAG DOLINGER cmc LA			
1-18-90	94	Fld order of reference to Mag for General pre-trial and sett...LEVAL, J. CM LA			
1-18-90		Fld memo end on doc#94, assigned to Mag Dolinger..KIRSCH, Dist Exec. cm LA			
4-18-90		PRE-TRIAL CONFERENCE HELD BY MAG Dolinger			
5-29-90		PRE-TRIAL CONFERENCE HELD BY MAG Dolinger			
7-16-90		PRE-TRIAL CONFERENCE HELD BY MAG Dolinger			
7-23-90		PRE-TRIAL Conf held By MAG Dolinger			
8-16-90	95	Fld pltfs notice to class of proposed final judgment as to deft KCE. LA			
8-16-90	96	Fld pltfs notice to class of proposed final judgment as to deft Bellevue. LA			
8-16-90	97	Fld pltfs notice to class of proposed final judgment as to Fire Safety. LA			
8-16-90	98	Fld pltfs notice to class of proposed final judgment as to Outposts. LA			
8-16-90	99	Fld pltfs notice to class of proposed final judgment as to Elmhurst. LA			
8-17-90	100	Fld order for notice to class... pltfs counsel shall prepare and deliver to defts copy of this stip attached by 8-15-90 and 9-1-90..following the "comment period" a hearing will be held on 9-27-90 at 4:30PM with regard to the approval of proposed sett..LEVAL, J. LA			
9-21-90	101	Fld pltfs declaration of Jonathan Chasan in connection with rule 23(e). LA			



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## CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT		DOCKET NO. <u>81-109</u>
<u>Reynolds et al</u>		<u>Siehlaff et al</u>		PAGE <u>8</u> OF <u>8</u> PAGES
DATE	NR.	PROCEEDINGS		
		(PNC)		
10-2-90	102	Fid order and consent judgment approving class action settlements...LEVAL,J. EOD 10-2-90		
5/28/92	103	Fid. Pltff's Letter to J. Leval dtd.5/19/92, re: enclosure of Stipulation which provides for the release by the State to pltff's counsel of the medical records that have been requested ...request for signing by J. Leval. SC		
5/29/92	104	Fid. Stip. & Order...that the State Office of Mental Health shall release the above-named twenty closed medical records(as indicated) to defts' counsel for the purpose of them available to pltffs' counsel; that defts' counsel shall arrange to have copies of these charts delivered to the offices of pltffs' counsel; and that nothing in the stipulation addresses in any fashion the question of whether the defts in this case are entitled to an order modifying the terms of the Consent Judgment in connection with a transfer of pltff class to Kirby Psychiatric Center. So Ordered. LEVAL,J. SC		
7/9/92	105	Fid. Stip. & Order...that the State Office of Mental Health shall release the above-specified incident reports to defts' counsel for the purpose of making them available to pltffs' counsel etc.; and that nothing in this stipulation and order addresses in any fashion the question of whether defts in this case are entitled to an order modifying the terms of the Consent Judgment etc. So Ordered. LEVAL,J. SC		
7/23/92	106	Fid. Stip. & Order To Modify the Consent Decree...that Paragraph 49 of the Stipulation & Order of Settlement is modified to read as follows(as indicated); and that defts shall promulgate appropriate institutional orders at the three hospital wards to implement this policy with thirty days from the date of this Stipulation etc. So Ordered. LEVAL,J. SC		

LA